TL 1445-20

Submission to the UN Sub-Commission for
Prevention of Discrimination and Protection of Minorities

41st Session, August 1989

Under Item 9

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Honourable chairperson,

Someone else should have been here, Indonesia's indefatigable human rights campaigner, Haji J.C Princen, director of the Institute for the Defence of Human Rights, who has been mandated by the Regional Council of Human Rights in Asia to raise serious human rights violations in Indonesia and East Timor. But last week, when he applied for an exit visa at the Immigration Office in Jakarta to come to Geneva, his application was refused.

The Indonesian authorities have frequently refused him an exit visa, which means that his situation is no different from about one-and-a-half million ex-political prisoners, as well as many senior politicians who are members of the group of dissidents known as the Petition-of-50. These people have never been charged or brought to trial, no judge has passed any verdict depriving them of the right to leave the country, yet they, like Mr Princen, suffer the same fate.

We dissidents abroad often wonder why the Indonesian government holds these people illegally within the country, making Indonesia the largest prison in the world. The answer came last week when the Interior Minister declared that Indonesians, when abroad, must uphold the principle, 'Right or wrong, my country'. (**Tempo** and **Editor**, both of 19 August, 1989) They must not - and I quote - "tarnish the image of Indonesia" or "wrongly give the impression that human rights are not respected in Indonesia". Millions of victims, denied exit visas, know that human rights are violated in Indonesia every day.

The Regional Council welcomes the Sub-Commission's decision to prepare a report regarding states of emergency. The unlimited special powers which have now been held by the Indonesian armed forces since 1965 makes Indonesia the country with probably the longest lasting effective state of emergency in the world. The armed forces have unlimited powers to arrest, detain, interrogate, torture and, yes, murder anyone suspected of acts alleged to be a threat to national security.

Unable to be here himself, Mr Princen asked me to come in his stead and raise here recent happenings in Lampung, South Sumatra and in East Timor which are typical examples of the armed forces exercising their special powers. First, about Lampung.

Last February, the Regional Council of Human Rights in Asia notified the UN Commission on Human Rights about the massacre in

Talang Sari village in the province of Lampung, South Sumatra.

Talang Sari village, in the province of Lampung, South Sumatra. According to the military authorities, on 7 February, army troops fought rebellious radical Muslims of the Mujaniddin Fissabillah Command, killing 27 Muslims. This account raised many questions among Indonesian human rights campaigners but no-one could go to check the facts as the area was declared closed to all outsiders. A BBC correspondent and two Indonesian journalists wanting to cover the event were prevented from entering and allowed to go back to Jakarta only after their materials had been confiscated.

The Legal Aid Foundation and the Institute for the Defence of Human Rights both wrote to the government on 14 February 1989 calling for an independent commission of inquiry. To this day, their letters have not been answered.

On 18 February, the **Tempo** weekly published photos of the weapons allegedly used by the villagers - sickles, cycle spokes and molotov cocktails. A map of the village showed it to be surrounded by a canal. If one accepts that these weapons were used and that the villagers refused to obey orders from the security forces, why resort to bullets? Would tear-gas grenades not have been enough to quell the villagers? And why call in the army whose duty is to defend the country from external attack, and not the police which is in charge of public security?

But this is not all. Another series of violations occurred, also in Lampung. A carefully compiled report by the Legal Aid Foundation, detailing events in the nearby sub district of Pulau Panggung up to 28 May this year, reveals that the inhabitants have been victims of persistent degrading treatment by the authorities. The majority are transmigrants from over-populated Java who have succeeded in growing coffee and cloves. By Indonesian standards they are quite well off. But now the area has been declared a protected forest area and these hard-working inhabitants have been ordered to move out immediately. They have refused to go unless given compensation and provided with land suitable for agricultural pursuits. Their demands to be allowed to stay for a another three years, to harvest their coffee and have time to find alternative settlements have been ignored.

There have been two waves of persecutions, the first from 19 November till 7 December last year when hundreds of homes along with everything inside were burnt to the ground. This occurred in the hamlets of Datar Tujuh 1, Termas Baru, Air Nipis, Talang Nisan, Talang Cendol, Talang Tomo, Talang Yoto, Rukun Damai, Gedung Agung, Suka Maju, Suka Marga, Pager Gunung and Karang Jati.

Then from March until 28 May this year, many houses, among others, in the villages of Talang Kedorang, Talang Curug, Talang Sangarus, Sinar Solo, Sido Bangun, Sinar Muda, Talang Jambe Wulung and Talang Riba were burnt down and pulled down. Coffee trees were cut down, beans burnt or thrown in the river or simply carted off by local officials. Private property, domestic

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animals, motorbikes, personal items and other personal property were removed and taken away. Some inhabitants were arrested and tortured. Such is the way these bewildered villagers were mal-treated.

Now for Mr Princen's second concern, human rights violations in East Timor, a particularly sensitive problem for any Indonesian to talk about, at home or abroad, because the UN more closely follows this question than any of the other abuses for which the Indonesian authorities are responsible.

On 15 June this year, Mr Princen wrote to the commander-in-chief of the armed forces complaining about many arrests in East Timor, basing his complaints on the Universal Declaration of Human Rights which, I may say, is universally abused in Indonesia. There have been several waves of arrests since last year. First, an estimated three thousand people were arrested, held and many tortured last October and November, causing Bishop Belo, the Apostolic Administrator of Dili, to issue a Pastoral Letter on 5 December when he said: "Following interrogation, some were placed under arrest, and others, as well as being detained, were slapped beaten and tortured... We oppose this barbaric system and condemn the lying propaganda according to which human rights violations do not occur in East Timor."

Since April this year, many people have been arrested in Dili, Baucau and elsewhere. In Baucau within a month some forty people were arrested and held at a new detention centre at Baucau military airport because the former interrogation and torture centre, the Hotel Flamboyant, is now being restored for use as a hotel. (Tourists who stay there will known nothing of its former use!) There have been many more arrests in Dili since May. On 13 and 14 May an estimated one hundred students were arrested in Dili. On 29 May students at the University of E Timor wrote a letter protesting at the arrests, and then more of them arrested.

I attach to my statement lists of persons detained and, in some cases, feared to have been killed in the past few months. The Regional Council very much hopes that the Sub-Commission will, at its present session, take cognisance of these gross violations and adopt a resolution condemning Indonesia. Its failure to do so last year helped spread the belief, to which Bishop Belo referred, namely that "human rights violations do not occur in East Timor".

Finally, in conclusion, may I urge you also:

1. to ask the Indonesian authorities to permit freedom of movement and allow Mr Princen to travel abroad as he wishes, and come to Geneva in for future meetings of the Commission and Sub-Commission,

2. to back the request by the Legal Aid Foundation and the Institute for the Defence of Human Rights for an independent

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commission of inquiry to be set up to investigate the happenings in Talang Sari in February and the events in Pulau Panggung.

Thank you.